

MURRAY CITY PUBLIC SAFETY SERVICE

RULES AND REGULATIONS

NOVEMBER, 2008

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MURRAY CITY PUBLIC SAFETY SERVICE RULES AND REGULATIONS

SECTION 1 DEFINITIONS

- 1-1. **Allocate.** The term "allocate" means to place in a given class.
- 1-2. **Appeal Board.** The Appeal Board shall consist of three members selected by the Mayor, the grievant and three Department Heads to hear appeals of disciplinary action involving discharge, suspensions without pay of more than two days, or transfer to a position with less remuneration.
- 1-3. **Application of Definitions.** For the purpose of these Civil Service Rules the words and phrases defined in this Section shall have the meanings in this Section ascribed to them, unless it is apparent from the content that a different meaning is intended.
- 1-4. **Appointment.** The term "appointment" means the designation of a person, by due authority, to become an employee in a position as provided for in these Rules.
- 1-5. **City Council.** The term "City Council" means the Murray City Municipal Council.
- 1-6. **Class or Class of Positions.** The term "class" or "class of positions" means a group of positions established sufficiently similar in respect to duties and responsibilities that the same descriptive class title may be used to designate each position allocated to the class, that the same entrance qualifications may be required of incumbents in the class, that the same tests of fitness may be used to choose qualified employees, and that the same schedule of pay may be made to apply with equity under the same, or substantially the same, employment conditions.
- 1-7. **Class Specification.** The term "class specification" means a written statement describing the duties, responsibilities and entrance qualification standards of a class of positions.
- 1-8. **Class Title.** The term "class title" means the designation given under these Rules to a class and to each position allocated to the class.
- 1-9. **Classification Plan.** The term "classification plan" means the plan of classification and grading of all positions in Public Safety Service adopted as the same may be from time to time amended.
- 1-10. **Demotion.** The term "demotion" means a change in employment status from one class to a class having a lower range of pay.
- 1-11. **Department Head.** The term "Department Head" means the Chief of the Fire Department or Chief of the Police Department depending on which Department the employee in question is employed.
- 1-12. **Due Regard for Length of Service.** Where other considerations are equal, an employee's seniority or accumulative length of service with the City shall prevail in the determination of merit for purposes of appointment, promotion, transfer, retention, dismissal, or other action affecting an employee.
- 1-13. **Eligible.** The term "eligible" means a person whose name is on an appropriate eligible list and who is not ineligible for appointment for other reasons.

1-14. **Eligible List.** The term "eligible list" means a list of persons who are qualified under these Rules for appointment to a position in Public Safety Service.

1-15. **Emergency.** The term "Emergency" means any unusual and unforeseen circumstances of a grave nature which might reasonably interfere with a person's normal course of conduct and the person's usual pattern of behavior, as determined by the Hiring Authority at his/her sole discretion.

1-16. **Employee.** The term "employee" means a person who has successfully completed a probationary period in a Public Safety Service position. Employee does not include probationary status employees, Chiefs, Assistant Chiefs, or seasonal employees.

1-17. **Examination.** The term "examination" means an oral and/or written test or tests and the evaluation of the results thereof, used to determine the eligibility and the relative merit and fitness of candidates for appointment to a position in the Public Safety Service.

1-18. **Hiring Authority.** The term "Hiring Authority" means Chief of the Police or Fire Department.

1-19. **Mayor.** The term "Mayor" means the duly elected Mayor of Murray City, Utah.

1-20. **Personnel Advisory Board.** The term "Personnel Advisory Board/(PAB)" means a board created pursuant to Chapter 2.42 of the Murray City Municipal Code. The PAB consists of three (3) members appointed by the Mayor with advice and consent of the City Council. The PAB shall hear and resolve grievances as provided in these Rules.

1-21. **Position.** The term "position" means an office or place of employment in the Public Safety Service, having assigned or delegated duties.

1-22. **Probation Period.** The term "probation period" means a working test period during which an employee is required to demonstrate his/her fitness to the class to which he/she is appointed by actual performance of the duties of the position, before appointment shall be deemed to be regular status. During the probation period, the employee is at-will.

1-23. **Probationary Status.** The term "probationary status" means the status of any employee who has been regularly appointed from an eligible list but who has not completed the probationary period provided in these Rules, and is therefore at-will, or a regular status employee who has been placed on probation as part of disciplinary action.

1-24. **Promotion.** The term "promotion" means a change in employment status to a higher rank with a higher range of pay.

1-25. **Provisional Employee.** The term "provisional employee" means an employee who has provisional status.

1-26. **Provisional Status.** The term "provisional status" means an employee who has been appointed to fill a position for which no eligible list exists and which status exists for a term limited as provided by these Rules.

1-27. **Public Safety Service.** The term "Public Safety Service" means all positions in the City Police and Fire Departments and employees who hold their positions in the respective Department by virtue of and in compliance with these Rules.

1-28. **Register.** The term "register" or "register of eligible candidates" means the same as "eligible list" as herein defined.

1-29. **Regular Status.** The term "regular status" means the status under these Rules of an employee in a position in the Public Safety Service to which he/she has been appointed as provided in these Rules and for which he/she has successfully completed the probationary period and who has been accepted as an employee in such position.

1-30. **Rules.** The term "Rules" means the Murray City Public Safety Service Rules and Regulations.

1-31. **Suspension.** The term "suspension" means the temporary separation from the Public Safety Service without pay of an employee for disciplinary purposes.

1-32. **Test.** The term "test" means and includes:

- a. Assembled Test: A written, oral, performance or physical test at a specified time and place at which candidates are required to appear for competitive testing under supervision, and/or
- b. Unassembled test: A test consisting of an appraisal of training, experience, work history, or any other means for evaluating other relative qualifications of candidates without the necessity for their appearing at a specified place.

1-33. **Transfer.** The term "transfer" means a change of an employee from one position to another position in the same class or another class having similar duties, the same range of pay and similar employment standards. Transfer does not include disciplinary transfers to a position of less remuneration for disciplinary reasons.

1-34. **Veteran Preference.** The term "active duty" means active military duty and does not include active duty for training, initial active duty for training, or inactive duty for training.

A "Disabled veteran" means an individual who has: (a) been separated or retired from the armed forces under honorable conditions; and (b) established the existence of a service-connected disability or is receiving compensation, disability retirement benefits, or pension because of laws administered by the Federal Department of Defense or Veterans Affairs.

"Preference eligible" means: (a) any individual who has served on active duty in the armed forces for more than 180 consecutive days, or was a member of a reserve component who served in a campaign or expedition for which a campaign medal has been authorized and who has been separated under honorable conditions; (b) a disabled veteran with any percentage of disability; (c) the unmarried widow or widower of a veteran; or (d) a retired member of the armed forces who retired below the rank of major or its equivalent.

SECTION 2 GENERAL PROVISIONS

2-1. **Objective.** It is the objective of these Rules to establish, in compliance with applicable general law, a system of administrative policies and procedures to govern appointment to and promotion, discipline, and continued employment within Public Safety Service according to the highest standards of public ethics. These Rules are intended to protect the Public Safety employees servant from adverse discriminatory action whether from political or any other improper motive and thus to secure for the City the services of honest, efficient and experienced Public Safety employees. At the same time it is intended that the City shall have authority to correct where possible, and to remove when necessary, employees without placing upon the City an impractical or unfair burden in discharging such public duties. The objective and intent is to establish such personnel policies and procedures as will insure to the City the maximum in honest and efficient public service by attracting to and retaining in the City's Public Safety Service the most meritorious employees available.

2-2. **Application of Rules.** These Rules shall apply to every employee in the Public Safety Service, which shall include all members of the City's Police and Fire Departments.

2-3. **Obligations.** All employees in the Public Safety Service shall perform their duties in an efficient and effective manner consistent with City and Department policies.

2-4. **Cooperation.** Every employee in the Public Safety Service shall cooperate with the City and the Personnel Advisory Board in order to fulfill the objectives and purpose of these Rules.

2-5. **Conditions of Employment.** No one shall be required as a condition of employment, appointment, transfer, promotion, or retention in service, to join any organization or association of employees.

2-6. **Basis for Appointment; Promotion; Transfer; Retention, Dismissal.** Appointment, promotion, demotion, transfer, retention in, or termination of, services within the Public Safety Service will be made on the basis of merit and efficiency, having due regard for length of service with the City where other considerations are equal.

2-7. **Administrative Rules to be Equitable.** The administration of the classification plan and the pay plan and all administrative rules and regulations with respect to the application of service ratings, and hours of work, vacation, attendance regulation and leaves of absence for any cause for employees in the Public Safety Service, and the order and manner in which layoffs shall be affected and similar matters of personnel administration shall be fair and equitable and shall have general application as to all employees within a given class insofar as such equal application is practical, having due regard to the primary objectives of these Rules.

2-8. **Discrimination Forbidden.** No employee in the Public Safety Service or candidate for employment in the Public Safety Service shall be appointed, promoted, demoted, removed, or in any way favored or discriminated against because of age, disability, sex, race or political or religious opinion or affiliations and no attempt shall be made to ascertain the religious or political opinions or affiliations of any employee or candidate for employment in the Public Safety Service.

2-9. **Political Activity Forbidden.** Public Safety employees shall be subject to certain restrictions of political activity as provided in Section 2.62.060 of the Murray City Municipal Code.

2-10. **Grievances.** Disputes arising out of the interpretation of application of these Rules governing standards, classification, hours of work, employment conditions, and the like shall, before taking an appeal as allowed in Section 12, 13 hereof, be handled by the employee through established supervisory channels prescribed by these Rules.

2-11. **Records – Personnel Files.** The Human Resources Department shall maintain a personnel file or record for each employee in the Public Safety Service showing the employee's name, title or position held, the Department to which assigned, salary, changes in employment status, and such other information as the City may require.

2-12. **Record Retention.** Employee examination records and register cards shall be kept for two years, or as long as the employee is with the City whichever is longer. All other records relating to personnel, including correspondence, applications, and reports, may be destroyed after two years except as otherwise required by the State law. In addition, any records, permanent or temporary, may be destroyed by the Human Resources Director with the advice and consent of the Mayor, when special circumstances warrant as allowed by law.

2-13. **Personnel Files.** Personnel files shall be handled as provided in Section 2.62.220 of the Murray City Municipal Code.

2-14. **Notification of Address.** All employees and eligible candidates, including those on leave of absence, are required to keep the Human Resources Department informed in writing as to their current home address at all times.

2-15. **Violation of Rules. Dismissal Disqualifications.** Violation of any of these or other administrative rules or orders shall be grounds for disciplinary action including dismissal, and any employee dismissed for cause may for five (5) years be ineligible for appointment to, or employment in a position in the Public Safety Service.

2-16. **Service.** Whenever in these Rules, service of any document is required, said service will be made as provided for service of summons by the Utah Rules of Civil Procedure, except when the return of service shows the person to be served cannot by due diligence be found, service shall be made by mailing a copy of the document to be served by certified mail, addressed to the party at the party's last known address as disclosed by the City's records. Where any party is represented by an attorney, service of any paper, pleading or notice provided for in these Rules may be made upon such party by serving the party's attorney.

2-17. **Time.** Time shall commence to run for reviews or appeals from the date the order appealed from is served on the employee and in the event service is made by mail, at the expiration of five (5) days from the date of deposit in the post office. Time within which to act as provided in these Rules shall be computed by excluding the first day and including the last, unless the last day is a holiday or Sunday, in which case such days are also excluded.

2-18. **Separability of Rules.** If any rule is for any reason held to be invalid, such decision shall not affect the remaining Rules.

2-19. **Health.** Each employee in Public Safety Service as determined by the employee's Department Head and Human Resources Director annually or biannually during the period of his/her employment and during the calendar month in which occurs the anniversary of his/her employment, and at such other time as the Department Head may reasonably require, shall submit to a health examination by the physician or a health professional approved by the Human Resources Director. The physician and/or health professional shall certify the results of such an examination and shall file a copy of the certification with the Human Resources Director.

2-20. **Appeal of Medical Determination.** If any employee in the Public Safety Service is dissatisfied with any determination or certificate made by the City-approved physician, as provided in these Rules, that employee may, within fifteen (15) days after notice of such determination or certification, appeal to the Personnel Advisory Board in writing, as outlined in Schedule C.

2-21. **Injury on Job.** Each employee in the Public Safety Service who shall become injured in line of duty or course of employment shall retain Public Safety Service status for two (2) years after such injury unless a City-approved physician certifies that the employee is able to return to work before that time and refuses to do so, in which case the employee shall forfeit Public Safety Service status.

2-22. **Leaves of Absence.** Leaves of absence without pay may be granted by the employee's Department Head as provided in Section 2.62.170 of the Murray City Municipal Code.

SECTION 3 RECRUITMENT OF PERSONNEL TO THE PUBLIC SAFETY SERVICE

3-1. **Recruitment – Publicizing Examinations.** Employment in the Public Safety Service shall be by application and compliance with the requirements set forth in these Rules. The Human Resources Department shall publicize each examination for appointment to the Public Safety Service to the end that the best available people shall be attracted to employment by the City. Each examination shall be publicized for a minimum of seven (7) working days.

3-2. **Content of Examination Announcements.** Each examination announcement shall specify the position title, the nature of the work to be performed, the pay rate or range for the position, the minimum or desirable qualifications, the closing date for the filing of applications, and the place and manner of filing applications. The Human Resources Department may, in addition, add such other information as deemed advisable.

3-3. **Notice of Examination.** The Human Resources Department will give each candidate written notice five (5) business days in advance of the date of each examination. Such notice shall be delivered personally to the candidate or sent by United States mail, addressed to the candidate at the address given on the application. The notice shall set forth the time and place at which the examination will be held. Failure of any candidate to be present for and take any examination may be grounds to exclude the candidate from further participation in the selection process.

3-4. **Application Forms.** Applications for examination shall be made on forms provided by the Human

Resources Department. All applications must be signed by the candidate. Candidates who desire to apply for veteran preference credit must submit proof of honorable discharge as described in these Rules. Applications shall be fully and completely filled out according to the instructions contained therein. Incomplete applications may be rejected. Any false statement in the application shall be grounds for rejection of the application, and may be grounds for discharge after employment if discovered at a later time.

3-5. Photographs and Fingerprints. Candidates considered for appointment may have their photographs and fingerprints taken.

3-6. Notice to Accepted Candidates. Each candidate not rejected as provided in Section 3-7, shall be notified in writing by mail of the exact place, date and hour of the examination.

3-7. Rejected Applications. Any application shall be rejected which indicates on its face that the candidate does not possess the minimum qualifications as required for the position. Applications also shall be rejected if the candidate is not a citizen of the United States, or in active process of becoming a citizen; if the candidate is not at least 18 years of age at the date of application if applying for the position of Fire Fighter or of at least the age of 21 years at the date of application if applying for the position of Police Officer; is not of good moral character; has been convicted of an offense of dishonesty, unlawful sexual conduct, physical violence, or the unlawful use, sale or possession for the sale of a controlled substance; is unable to comply with the physical requirement hereinafter set forth; is not able to speak fluently the English language and to write said language legibly; is not of unimpeachable loyalty to the United States of America; or has willfully made any false statements of any material facts, or has attempted to practice any deception or fraud in the application. Any application may be rejected if the Human Resources Director finds that the candidate is clearly ineligible or unfit for the Public Safety Service for any reason herein enumerated. Whenever an application is rejected, notice of such rejection with a statement of the reason shall be mailed to the candidate. Defective applications may be returned to the candidate with notice to amend the same.

SECTION 4 SELECTION OF PERSONNEL

4-1. Objective. The procedure for selection for appointment shall be impartial, of a practical nature and shall relate to those matters which fairly test the relative merit, fitness and ability of the persons examined to discharge the duties and responsibilities of the position to which they seek appointment. Any examination, in which the Hiring Authority and Human Resources Director deem it desirable to do so, may include qualifying tests and may set minimum qualifying standards. No question in any examination shall relate to political or religious opinion or affiliations.

4-2. Examinations – Ex-officio Chief Examiner. In order to effectuate the provisions of the Rules so adopted, the Human Resources Director may also serve as Chief Examiner in examination procedures provided for in these Rules and Regulations.

4-3. Subjects and Types of Test. Each examination held to establish a list of eligible candidates may consist of one or more of the following: written, oral, assessment center, or performance tests which will test fairly the qualifications of the candidates. Each test is to have a value of one-third of the final rating. Every examination shall include tests of physical qualifications and health, including, in the case of

persons seeking a position in the Police Department, a psychological test. All candidates must pass such physical and health examinations as prescribed for the position sought. Physical and health examinations shall be based upon the health standards and requirements adopted by the City as set forth in Schedule C.

4-4. Written Tests. A written test or tests may be used to measure the knowledge, ability, judgment, emotional stability, aptitude, and/or alertness of candidates insofar as such traits are related to ability to perform the work in a position or series of related positions. This part shall include a written demonstration designed to show the familiarity of the candidates with knowledge of the position to which they seek appointment.

4-5. Oral Tests. An oral test may be used to evaluate the personal fitness, the experience and training, the knowledge, capacity and judgment of candidates and ability of the candidate to deal with others and to meet the public. In considering personal fitness, it shall be appropriate to evaluate pertinent personality traits, but the evaluation shall be done on a basis which is as objective as possible.

4-6. Performance Test. Performance tests may be given to obtain from candidates samples of the kind of work involved in the position to which appointment is sought and to rate the work results and the speed and accuracy of performance. A physical test may be given, and may consist of competitive exercises or events designed to measure agility, strength, coordination, or fitness insofar as such traits are related to ability to perform the work. This test(s) is in addition to the medical examination by a City-approved physician.

4-7. Experience and Training. Competitive evaluation may be made of the relevance, level, recency, progression, and quality of experience and education offered by candidates. This may be done in an oral or an unassembled manner. Reports of superiors, former employers and educational institutions may be considered in this process.

4-8. Conduct of Tests, Examiners and Compensation. The Human Resources Director may contract with any responsible organization or individual for preparation and scoring of tests. In the absence of such a contract, the Human Resources Director shall be responsible for the performance of such duties. The Human Resources Director shall arrange for the use of buildings and equipment for the conduct of tests and shall render or secure such assistance as shall be required in connection with the tests, including the selection, appointment and use of boards of special examiners when deemed desirable in any phase of the testing process.

4-9. Disqualifying Offenses. At the discretion of the Human Resources Director or Chief Examiner, candidates may be disqualified and rejected for any of the following reasons:

- a. Possession in the examination room of any paper, book or memorandum, or of anything else which might be of use or assistance in the examination, other than as permitted by the Human Resources Director or Chief Examiner. Such articles shall be surrendered to the examiner in charge before the beginning of the examination.
- b. Willfully copying, looking over the work of another candidate, or attempting to do so, or permitting any candidate to copy or look over any examination sheets or material in possession of a candidate.

- c. Willfully attempting to indicate identity on any examination paper, except as instructed to do so by the examiner in charge.
- d. Tardiness in reporting for the examination, unless admitted by the examiner in charge for good reason.

4-10. Qualifying Grades and Rating Tests. The final score of a candidate shall be based upon all tests and evaluations in the examination. Failure in one or more parts of the examination may be grounds for declaring candidates as failing in the entire examination, or as disqualified for subsequent parts of an examination. The Human Resources Director and Hiring Authority shall establish a minimum qualifying score.

4-11. Notification of Results. Each candidate taking an examination shall be given written notice mailed to the address as shown on the application, of the results, final rating, and if successful, the relative position of the candidate on the eligible list. All candidates shall have the right to inspect their own test papers after notification of results. An error in grading or rating shall be corrected if called to the attention of the Human Resources Director within ten (10) days after the mailing of notices of results of examination. Correction shall not, however, affect any certification or appointment which is made any time prior to the discovery of the error.

4-12. Promotional Test. As the needs of the Public Safety Service require, promotional tests may be conducted from time to time, and may include, in addition to the types of tests listed in this rule, evaluations of performance for the City and accomplishments in special training courses. Candidates for promotion or appointment to a position of higher rank shall be employees in the Public Safety Service and must possess the minimum employment qualifications, if any, set forth in the classification plan.

4-13. Appeals. Any action in connection with the announcement, holding or scoring of examinations, the preparation or cancellation of eligible lists, rejection of application, removal from eligible list, and the making of appointments from such lists, is subject to review by the Personnel Advisory Board as provided by Section 12.

4-14. Eligible Lists – Description. As soon as possible after the conclusion of an examination, the Human Resources Director shall prepare an eligible list consisting of the names of persons successfully passing the examination and ranking high enough to be included on the eligible list, these names shall be arranged in order of final ratings received, from the highest score down to the lowest qualifying score. The final rating shall be determined by the total of the scores received by each candidate for each part of the examination, based upon the relative value assigned to each part of the examination before it was given. Whenever identical final ratings are received, names shall be arranged in the order of the scores on the part or parts of the examination which were assigned the heaviest relative values, or when parts of the examination are given equal value, priority of application filing date shall determine the highest standing on the list.

Eligible lists for entry level positions may be designated as “open/on-going”, in which case qualified candidates’ rank/position on the list can change each time other qualified candidates are added or removed. Ongoing lists do not have an expiration date.

4-15. Veterans Preference Ranking on Eligible Lists. The City shall grant veterans preference upon initial hiring to each veteran or veteran’s spouse based on official documents certifying eligibility and

according to the following procedures and requirements.

- a. The names of all persons who have obtained final passing grades in all factors of the examination, shall be placed on the register in the order of their final rating, starting with the highest.
- b. The Human Resources Director shall add to the score of a veteran who receives a passing score on an examination, or any rating or ranking mechanism used in selecting an individual for any position with the City:
 - i. Five (5) points to the total possible score, if a veteran;
 - ii. Ten (10) points to the total possible score, if a disabled veteran or a purple heart recipient; or
 - iii. in the case of a preference eligible widow or widower, the same points to which the qualifying veteran would have been entitled.
- c. A veteran who applies for a position that does not require an examination, or examination results are stated other than numerically, shall be given preference in interviewing and hiring for the position.

4-16. Verifying Veterans Preference. Preference for veterans shall be allowed to persons who submit a copy of their discharge form (DD214) prior to the application deadline date.

4-17. Firefighter Certification Preference. A candidate is entitled to preference points as follows:

- a. One (1) preference point for evidence of an NFPA 1001, Firefighter I Certificate from a program which has been certified by the Utah Firefighters Certification Board, OR
- b. Two (2) preference points for evidence of an NFPA 1001, Firefighter II Certificate from a program which has been certified by the Utah Firefighters Certification Board, OR
- c. Three (3) preference points for evidence of a current certification and completion of the Utah Fire and Rescue Academy Recruit Candidate Academy (RCA) program.

4-17.1 Paramedic Preference. A candidate who holds a current paramedic certificate issued by the Utah State Bureau of Emergency Medical Services is entitled to five (5) additional credit points.

4-17.2 Fire Cadet Preference. A candidate who is currently working as a City Fire Department Cadet, and has been serving for at least one (1) year, or has been employed as a cadet with the City Fire Department within the last year and is in good standing, and has served for at least one (1) year, shall be entitled to one (1) preference point.

4-17.3 Hazardous Materials Technician Preference. A candidate who has a current certification as a Hazardous Materials Technician given from an accredited agency, shall be entitled to one (1) preference point.

4-17.4 Swift Water Rescue Technician Preference. A candidate who has a current certification as a

Swift Water Rescue Technician given from an accredited agency, shall be entitled to one (1) preference point.

4-17.5 Maximum Preference Points Earned By Firefighter Candidates. The maximum preference points which can be awarded to the candidate's final score, pursuant to Sections 4-17, 4-17.1, 4-17.2, 4-17.3 and 4-17.4 shall not exceed eight (8).

4-18. Police Officer Certification Preference. Prior to any job announcement, the Human Resources Director and the Police Chief shall determine if preference points shall be given. If preference points are given, they shall be according to any, a combination, or all of the following options:

Ten (10) points for applicants who, at the closing date, are working as a Police Officer, Deputy Sheriff, or State Trooper,

OR

Five (5) points for applicants with a State of Utah approved P.O.S.T. Peace Officer (Category I) Certification, or currently enrolled in P.O.S.T and will be certifiable within six (6) months of the closing date.

OR

Two and a half (2½) points for applicants who, at the closing date, are working as a Correctional Officer, Reserve Police Officer, Military Police Officer, Court Bailiff, Community Service Officer, Telephonic Officer or Parole Officer.

4-19. Maximum Preference Points Earned by Police Officer Candidates. The maximum preference points which can be awarded to the candidate's final score, pursuant to Section 4-18, shall not exceed ten (10).

4-20. Preference Points. All preference points awarded pursuant to the provision of Sections 4-17, 4-17.1, 4-17.2, or 4-18 shall be added to the candidate's final score only if said candidate has a cumulative passing score at the end of the testing procedure.

4-21. Life of Eligible Lists. Eligible lists shall become effective upon certification by the Human Resources Director that the list was legally prepared and represents the relative ratings of the names appearing thereon. Eligible lists shall remain in effect one year unless canceled sooner by the Human Resources Director and may be extended by the Human Resources Director for an additional one year period.

Eligible lists for entry level positions may be designated as "open/on-going", in which case qualified candidates' rank/position on the list can change each time other qualified candidates are added or removed. Ongoing lists do not have an expiration date.

4-22. Vacation of Eligible Lists. The Human Resources Director may, at any time when in his/her opinion the public good will be served thereby, vacate any eligible list or lists, and thereafter no candidate on any list so vacated shall be appointed unless such candidate makes a new application, is examined, and qualifies as if such candidate had not been on the list so vacated.

4-23. Disqualification and Removal from List. Names of candidates may be removed from an

eligible list by the Human Resources Director for any of the following:

- a. Inability of postal authorities to deliver certified mail to the candidate within a reasonable time.
- b. Conviction of a felony or a misdemeanor involving moral turpitude, or general misconduct.
- c. Proof to the satisfaction of the Human Resources Director of fraud or false statements in the application, or of fraudulent or improper conduct in connection with an examination.
- d. Probationary appointment to a position for which the eligible list was established.
- e. The request, or death, of the candidate.
- f. Failure to appear or to arrange for an interview with the Hiring Authority within a reasonable designated time after notification of certification.
- g. Refusing an appointment without a reason satisfactory to the Human Resources Director.
- h. Refusing certification without the consent of the Human Resources Director.

4-24. Request by Hiring Authority for Cancellation of Certification. Upon receipt of names certified from the eligible list and a determination by the Hiring Authority, through interviews, testing, or background investigation of a certified candidate, that a particular certified candidate is, in the judgment of the Hiring Authority, not capable of properly performing the duties of the position to which appointment is being sought, the Hiring Authority shall submit a letter to the Human Resources Director detailing the reasons for such determination and request that the certification of said candidate be cancelled. Upon review and concurrence of the Human Resources Director, the letter will be filed with the corresponding position register. The candidate in question has no right to appeal this action.

4-25. Notification of Removal from List. If, for any reason provided for herein, a candidate's name is removed from an eligible list, notice of such removal shall be given in writing by the Human Resources Director to the individual candidate, setting forth the reasons for such removal. Such notice shall be sent by United States mail and shall be post marked no later than five (5) days following removal from the eligible list.

4-26. Waiver of Certification. Upon written request by a candidate and as approved by the Human Resources Director, the name of that candidate may be maintained on the eligible list for such period, not to exceed one (1) year, as the Human Resources Director may determine, during which period the Human Resources Director will pass over and not certify such candidate to the Hiring Authority for appointment. The written request shall include a clear statement of the reasons therefore. Upon similar request made within three (3) days after such certification, the Human Resources Director has discretion to cancel and revoke the certification of such candidate and restore the name to the list to be maintained there as provided herein. The Human Resources Director's approval for the maintenance of such name without certification may be revoked at any time if the good of the service requires such action. Notice of revocation shall be promptly given to the candidates. The candidate may at any time cancel or withdraw a request under this subsection.

4-27. Eligibles Designation of Service Or Minimum Wage. A candidate whose name is on an eligible list for two (2) or more classes or positions of employment may designate, in writing filed with the Human Resources Director, the class, Department or position of service in which the candidate is willing to accept appointment, and shall not be certified for appointment except in accordance therewith. A candidate may similarly designate the minimum compensation he/she will accept, and no certification for appointment to a position with a lesser compensation than that designated shall be made.

SECTION 5

APPOINTMENT TO THE SERVICE

5-1. Manner of Filling Vacancies. Except as herein otherwise provided, all vacancies in the Public Safety Service shall be filled by re-employment or appointment from candidates certified by the Human Resources Director from an appropriate eligible list, if available. If an eligible list cannot be created due to the lack of eligible persons, provisional appointments may be permitted in accordance with these Rules.

5-2. Certification of Eligibles for Appointment. If the Hiring Authority desires to fill one or more vacancies existing in the Public Safety Service, the Hiring Authority shall notify the Human Resources Director who shall promptly furnish to the Hiring Authority the names of the candidates certified by the Human Resources Director as eligible for appointment to the vacancy.

5-3. Order of Certification. Names shall be certified by the Human Resources Director to the Hiring Authority in the following order:

- a. Names of persons who have been placed on a Department re-employment list for the class in accordance with these Rules and who are available for re-employment. Persons on re-employment lists shall maintain their status for two (2) years.
- b. Names of persons on a competitive eligible list for the position.

5-4. Number of Names Certified. If a position is to be filled, the Human Resources Director shall, as soon as possible, certify to the Hiring Authority the names of:

- a. Twenty (20) persons, if the position to be filled is entry level; or
- b. Seven (7) persons, if the position to be filled is other than entry level.

Persons certified as above shall have the highest standing in the eligible list but a lesser number may be certified if the required number is not on the eligible list. If more than one position is available in the same Department, the Human Resources Director shall also certify to the Hiring Authority one additional name for each additional position to be filled. All persons not appointed shall be restored to their relative positions on the eligible list. All persons who have been on the eligible list for two (2) years without appointment shall be removed from the list and may be returned to it only upon regular examination.

5-5. Procedure When Insufficient Names are Certified. If fewer names than the number required by the above procedure are certified by the Human Resources Director, the Hiring Authority may fill the vacancies from the short list, or may return the short list and request the Human Resources Director to proceed to recruit new candidates, prepare a new eligible list, and to certify a full list of names as required herein.

5-6. Appointment. After interview and any investigation deemed necessary, the Hiring Authority may make appointments from among those certified, and shall immediately notify the Human Resources Director of the candidate or candidates appointed.

If a candidate fails to present himself/herself for interview or duty at the time and place directed, he/she shall be deemed to have declined the appointment.

The Hiring Authority may appoint any eligible candidate from the names certified by the Human Resources Director regardless of the relative ranking on the eligible list.

5-6.1. Fire Department Prior Service Credit. A newly appointed firefighter may be given time in grade credit for previous similar fire service at the rate of one year credit for each three years of prior qualified service. This credit shall be determined by the Hiring Authority in consultation with the Human Resources Director and will become effective on the newly appointed employee's date of hire.

A newly appointed paramedic may be given time in grade credit for similar previous paramedic service at the rate of one year credit for each year of qualified service, up to a maximum of five (5) years. This credit shall be determined by the Hiring Authority in consultation with the Human Resources Director and will become effective on the newly appointed employee's date of hire.

5-6.2. Police Department Prior Service Credit. Effective July 1, 2002. In order to attract and hire experienced police officers, the new employee may be given time in grade credit for previous civilian law enforcement service, at the rate of 1 year credit for each year of qualified service, up to a maximum of 5 years.

The credit shall be determined by the Hiring Authority in consultation by the Human Resources Director and will become effective on the new employee's date of hire.

5-7. Provisional and Temporary Appointment. If fewer than the number of eligible names required to fill a vacancy or vacancies are available for the lists specified in Section 5-3, the provisional appointment of a candidate meeting the employment standards for the position may be made by the Hiring Authority. The Human Resources Director shall immediately proceed to establish a list of qualified persons and shall, as soon as practical, and without action on the part of the Hiring Authority, certify a list containing the required number of names from the resulting register. The provisional appointment shall terminate within ten (10) days after the new list is certified to the Hiring Authority. A provisional appointment may not extend beyond six (6) months in duration, unless the Human Resources Director extends the provisional appointment for successive periods of not more than thirty (30) days each.

5-8. Temporary Appointments. A temporary appointment to a position for a term of not more than three (3) months may be made in the same manner as a provisional appointment.

5-9. Emergency Appointments. To meet the immediate requirements of any emergency condition which threatens public life, safety, health, welfare, or property, the Hiring Authority or authorized representative may employ such persons as may be needed for the duration of the emergency without regard to these Rules affecting appointments. As soon as emergency conditions permit, such appointments shall be reported to the Human Resources Director.

5-10. Seasonal Employees. Employees in positions of employment of a recurring seasonal nature shall be employed for the season only, and shall have no right to re-employment in succeeding seasons. The examination for such positions shall be as practical as possible and may consist only of an interview and

physical examination.

5-11. **Appointments to Vacancies.** In addition to the methods for filling vacancies in the Public Safety Service prescribed in the foregoing provisions of this Section 5, the Hiring Authority may, based on medical or psychological grounds, fill a vacancy with an existing member of the Public Safety Service if such member is otherwise qualified for that vacancy.

SECTION 6 PROBATIONARY PERIOD

6-1. **Objective.** The probationary or working test period shall be regarded as an integral part of the examination process and shall be utilized for closely observing the probationary employee's work, to secure the most effective adjustment of the probationary employee to the position, and to determine, at the discretion of the Hiring Authority, if the probationary employee should be retained and placed in the Public Safety Service as an employee. All original and promotional appointments shall be tentative and subject to a probation period of twelve (12) months, and successful completion of police officer standards and training, whichever is later, but not to exceed eighteen (18) months.

6-2. **Release of Probationer.** At any time during the probationary period the Hiring Authority may recommend to the Mayor the removal of a probationary employee, if in the Hiring Authority's opinion the work and training test period indicates that the probationary employee is unable or unwilling to perform the duties of the position satisfactorily or that the probationary employee does not merit continuance in the Public Safety Service. The Hiring Authority may recommend to the Human Resources Director that a probationary employee who falls below the minimum requirements for the position as set forth in Schedules A, B, and C, or as set forth in the statement of limits, qualifications, and requirements under which the probationary employee's application was accepted, be terminated from the Public Safety Service at the discretion of the Hiring Authority with approval of the Mayor. The recommendation for removal and the reasons shall be in writing and filed with the Human Resources Director and removal of the probationary employee shall be effective upon approval by the Mayor. There is no appeal of the release of a probationary employee.

6-3. **Probation Period Reports.** During the sixth month of probationary appointment, the Hiring Authority shall evaluate the performance of the probationary employee and based on such evaluation and the record of the Hiring Authority, the probationary employee shall either be released as provided or be considered eligible for continued probationary employment. Pay increases associated with successful evaluations will be made in accord with the pay policy of the City. During the twelfth month of probationary appointment, the probationary employee's performance shall again be evaluated by the Hiring Authority and the probationary employee shall be either terminated or appointed to employee status with associated pay increase in accordance with the pay policy of the City. No probationary employee shall be paid for work performed after the expiration of the probationary period unless the Hiring Authority, prior to the expiration date, has notified the Mayor that the probationary employee has been recommended for regular appointment to the position. When no such notification is given, the probationary employee shall be deemed to have been removed at the expiration of the probationary period, subject to the approval of the Mayor.

6-4. **Leave During Probation Period.** Time spent on any leave of absence shall not be considered as part of any probationary period.

6-5. Regular Appointment Following Probation Period. Upon recommendation of the Hiring Authority and approval by the Mayor, a probationary employee shall become a regular status employee of the Public Safety Service in the position for which the employee is certified and has completed probation, and the Human Resources Director shall so notify the Hiring Authority, the Mayor, and the employee.

SECTION 7 PERFORMANCE RATINGS

7-1. Purpose of Performance Ratings. The Human Resources Director shall establish and make effective a system of performance ratings designed to give a fair evaluation of the employee's work performance. Performance ratings shall be prepared and recorded for all probationary and regular status employees at regular intervals, not to exceed twelve (12) months. Performance ratings and length of service shall, together with other criteria, be considered in determining salary increases and in making promotions, reassignments, reclassifications, demotions, and separations. Each employee shall be furnished a copy of his/her performance rating. All employees' ratings shall be reviewed by the affected employee.

7-2. Performance Rating.

- a. Employees shall be rated by their immediate supervisor(s) on individual forms. If a given employee has received training under a supervisor, it is recommended that such training supervisor shall be included in the rating process of said employee.
 - i. The heads of each division within the Police Department shall review the performance ratings of the personnel within their respective divisions.
 - ii. The commanding officers of each division in the Fire Department shall review the performance ratings of the personnel assigned to them.
 - iii. The Department Head or designee will sign each completed evaluation form and may include comments or recommendations concerning any of the performance ratings.

7-3. Basis for Merit. Persons in the Public Safety Service shall be fairly and impartially rated based upon actual observation and careful, objective analysis, according to their job knowledge, initiative, dealing with public, quality and quantity of work, etc. Employee strengths and areas needing improvement should be noted in addition to the development of specific goals to be completed within the next year.

SECTION 8 CHANGES IN EMPLOYMENT STATUS

8-1. Assignment within the Public Safety Service. An employee may be assigned for any reason by the Department Head at any time from one position to another position in the same or comparable class by giving notice of assignment to the employee and the Human Resources Director. Assignment shall

not be used to effectuate a promotion or demotion, each of which may be accomplished only as provided in these Rules. No employee shall be assigned to a position for which the employee fails to meet the required employment standards.

An employee who is temporarily assigned to perform the function of a position of higher grade need not meet the minimum requirements of the position if the employee does not serve longer than six (6) months.

Upon approval of the Department Head, an employee may receive a temporary pay adjustment of up to the minimum of the higher grade or a 5% increase, whichever is greater, if the job classification difference is less than three (3) grades. A 10% increase may be given if the position classification is three (3) grades or higher. The temporary pay adjustment may be approved if the employee is acting in the higher position for 30 consecutive calendar days. The pay adjustment shall be effective and retroactive back to the date the employee started working out of classification.

8-2. Promotion. Changes in employment status as a result of promotion shall be made in accordance with the provision of Section 9.

8-3. Pre-Disciplinary Conference. When allegations of misconduct are made against an employee, a pre-disciplinary conference is held before a disciplinary decision is made, whereby the employee is given (1) written notice of charges being alleged; (2) an explanation of the evidence; and (3) the opportunity to present the employee's version of the facts surrounding the allegations and any and all information the employee wants the Department Head to consider before making a disciplinary decision. This process does not apply to employees on probation, since probationary employees are at-will.

8-4. Demotion. The Department Head may reduce the salary of an employee for cause within the range provided in the compensation plan or demote the employee. Such cause may be based upon facts justifying disciplinary action, violation of City policies, insufficient performance, or on facts which indicate that such action is in the best interest of the City. A written statement of the reasons for such action shall be furnished to the employee and a copy filed with the Human Resources Director. No demotion shall be used as a disciplinary action unless the employee demoted is eligible for employment in a lower class, and the demotion may not occur if such action would necessitate laying off any employee in the lower class. Any employee who is demoted may appeal as provided in Sections 10, 11, and 12.

8-5. Suspension. For disciplinary purposes, the Department Head may suspend an employee for cause without pay and for such length of time as the Department Head considers appropriate. Suspension orders of a less than two (2) days or sixteen (16) working hours is not appealable per Section 12. A suspension order which exceeds two (2) days or sixteen (16) working hours may be appealed as per Section 12. The Department Head shall provide the Human Resources Director with a written statement specifically setting forth reasons for the suspension and, upon request, a copy of that statement shall be furnished to the suspended employee. If the Personnel Advisory Board or Appeal Board overturn the suspension order on appeal, the employee shall be paid for the time off the job as if the suspension order had not occurred.

SECTION 9 PROMOTIONS

9-1. Basis of Promotions. Promotions in the Public Safety Service shall be on the basis of merit, seniority in service and standing obtained by competitive examination as herein provided.

Eligibility for promotion will be determined as described in Schedules A, B, and C, and where applicable, vacancies will be filled by promotion from the next lower in rank. All positions in the Public Safety Service not enumerated in these Rules as positions for promotions shall be positions of original appointment.

Employees who are promoted shall be placed at eighty-one percent (81%) of midpoint of the new grade or receive a five percent (5%) increase, whichever is greater. If the promotion changes the employee status from non exempt to exempt or the new position classification is increased three (3) or more grades, the employee shall be placed at eighty-one percent (81%) of the midpoint of the new grade or receive a ten percent (10%) increase, whichever is greater.

Employees who bid on and are selected for a position of a lower grade shall move to the same percent of midpoint in the lower grade with the appropriate decrease in compensation. Employees who bid on and are selected for positions of the same grade shall stay at the same percent of midpoint within that grade.

The promoted or transferred employee shall complete a six (6) month probationary period, to include a performance evaluation. The completion date of the probationary period will become the employees new annual performance evaluation date.

At the satisfactory completion of the 6 month probationary period, the promoted or transferred employee may be eligible to receive a merit increase immediately based upon his/her job performance and where he/she is in the pay range.

9-2. Types of Promotions. Promotions shall be designated as promotions in rank. Promotions constituting a rank promotion in the Police Department and the eligibility requirements for such promotions are set forth in Schedule A. Promotions constituting in-rank promotions in the Fire Department and the eligibility requirements for such promotions are set forth in Schedule B. Selection of a candidate for promotion in-rank shall be made from a list of certified eligible candidates from the promotional register established in accord with the provisions contained herein for appointment to Public Safety Service positions.

9-3. In-Rank Examination Scoring Procedure. The following weights shall be given to the respective factors of all in-rank examinations:

Seniority of Service (½ point for every year of service over five years - maximum five points)	5%
Written Examination	45%
Oral Interview	30%
Merit Ratings (Scores for the immediate past three years)	20%

When an assessment center is used, the written examination and oral interview factors are included in the assessment process, and therefore the scoring/weighting procedure is as follows:

Seniority	5%
Assessment Center	75%
Merit Ratings	20%
(See Schedule E)	

9-4. **Merit Ratings.** Merit ratings shall be determined on the basis of the following factors:

Merit Ratings. The portions of the performance evaluation of the performance review boards of the respective Departments for the immediate past three (3) years.

9-5. **Oral Ratings.** Oral ratings shall be determined on the basis of the following factors:

Oral Interview. Candidates may be interviewed by the Hiring Authority, the Human Resources Director or their designees, to determine the candidates' self-confidence bearing, personality traits, leadership qualities, supervisory abilities, determination of intelligence, aptitudes and abilities to deal with problem situations.

9-6. **Physical Examination Requirements for All Promotions.** All candidates certified for promotion must pass a physical examination prescribed by the Hiring Authority and Human Resources Director. Such physical examination shall determine that the candidate has no uncorrectable impairment which would disqualify the candidate from performing the essential functions of the position, either with or without reasonable accommodation. If it is determined that the candidate has an impairment which prevents a promotion, the Human Resources Director may refuse to certify such candidate as being eligible for promotion until the impairment is corrected. Physical requirements for promotion and appointments to the respected positions within the Public Safety Service are set forth in Schedule C.

9-7. **Notice of Promotional Examinations.** When the Hiring Authority notifies the Human Resources Director that a promotional examination be held, notice of the examination shall be posted in a prominent place in the Department affected at least thirty (30) days prior to the date of the examination. The notice of a promotional examination shall contain the following:

- a. Date of posting of Notice of Promotional Examination.
- b. Date of examination.
- c. Place and character of the examination.
- d. The last date for filing an application to compete in the examination. Such date shall be not less than five (5) days after the posting of notice as required in Section 9-6.

9-8. **Application for Promotional Examination.** Each employee who desires to compete for promotion must complete the prescribed application designating the position sought and giving such other

information as the Human Resources Director may require, and file the same with the Human Resources Department within the time prescribed.

The Hiring Authority and Human Resources Director will accept and allow an employee to apply and participate in the testing process, if the employee is within six months of meeting all of the requirements from the date of the test. However, the employee cannot be promoted until he/she meets the minimum requirements.

SECTION 10

DISCIPLINARY RESPONSIBILITY, GROUNDS AND ORDER

10-1. Responsibility for Discipline. Basic responsibility for discipline is vested in the Department Head.

Progressive discipline which normally involves a verbal reprimand, written reprimand, suspension and termination shall be administered fairly and consistently by the Department Head. Severity of the offense will determine the steps required for progressive discipline. In cases of conflict or other reasons, the City may investigate and recommend appropriate action.

10-2. Uniform Sanctions. When imposing demotions, suspensions without pay, termination, or imposing other sanctions, like sanctions shall be imposed for like offenses.

10-3. Misconduct. The following misconduct may be grounds for disciplinary action:

- a. Chargeable accident.
- b. Using profane or blasphemous language.
- c. Displaying bad or ungovernable temper.
- d. Lack of promptness in execution of duties.
- e. Neglect of duty or absence from Post of Duty without leave from proper authority
- f. Uncivil or discourteous conduct toward citizens or supervisors.
- g. Lounging or idling on duty.
- h. Tardiness (excessive and unexcused).
- i. Unexcused and/or lack of neatness in person or dress, reasonably compatible with position held.
- j. The commitment of any crime relating to public morals and decency, or drunkenness, or violation of the liquor laws, or other laws involving moral turpitude.
- k. Violation of any City ordinance or State statute, whether or not a formal criminal charge is filed, or of the adopted Rules or of the Department rules wherein employed, relating to the conduct and authority of the employees.

- l. Untruthfulness or dishonesty.
- m. Failure to observe applicable administrative rules.
- n. Misuse of City property or equipment.
- o. Using or uttering disrespectful language about or concerning another officer or employee. Making derogatory remarks about other employees of the Department either to employees of the Department or to anyone outside of the Department, provided they may do so to their supervisor, the Department Head, or the Mayor.
- p. Committing any act or participating in any undertaking for the purpose of unfairly or dishonestly causing an employee's merit rating to be either raised or lowered.
- q. Receiving or accepting money or anything of value for special favors to persons or individuals in connection with official duty.
- r. Willfully disobeying the orders of a supervisor.
- s. Conduct tending to bring discredit upon the Department.
- t. Any other misconduct, inefficiency or dereliction of duty.
- u. Any behavior that adversely affects job performance or which disrupts the workplace, undermines the authority of management, impairs close working relationships, or otherwise impedes a safe, efficient, and effective workplace environment.

10-4. Incompetency or Failure to Perform Duty. The following actions may be grounds for a charge of incompetency or failure to perform duty:

- a. Failure to maintain a performance evaluation rating of fully successful for any two (2) years.
- b. Failure to maintain a satisfactory physical record. A physical examination may be required of any employee by the Department Head.
- c. Habitual neglect of personal appearance while on duty.
- d. Cowardice or indolence.
- e. Failure in the performance of those duties that are required under the law to be performed.
- f. Neglect of duty.
- g. Conduct subversive to good order and the discipline of the Department where employed.

The examples of prohibited behavior described in 10-3 and 10-4 are not intended to be an all

inclusive list.

10-5. Pre-Disciplinary Conference. When allegations of misconduct are made against an employee, a pre-disciplinary conference is held before a disciplinary decision is made, whereby the employee is given (1) written notice of charges being alleged; (2) an explanation of the evidence; and (3) the opportunity to present the employee's version of the facts surrounding the allegations and any and all information the employee wants the Department Head to consider before making a disciplinary decision. This process does not apply to employees on probation, since probationary employees are at-will.

10-6. Disciplinary Orders. All Public Safety Service employees are subject to disciplinary action including discharge, demotion, suspension, or reprimand by the Department Head for misconduct, incompetency, failure to perform their duties or failure to properly observe the rules of their respective Departments, subject to appeal as provided herein. Disciplinary orders must be in writing signed by the Department Head, and may be in letter form properly dated, addressed to the employee against whom the disciplinary order is taken, and must advise the employee of the disciplinary action taken and the effective date thereof. A copy of such order shall be placed in the employee's personnel file.

SECTION 11 SEPARATION FROM THE SERVICE

11-1. Layoffs. The Department Head may lay off an employee in the Public Safety Service when deemed necessary by reason of lack of work or funds, the elimination of the position or other material change in the duties or organization, or for other related reasons which are outside the employee's control and which do not reflect discredit upon the work performance of the employee. The duties performed by an employee being laid off may be reassigned to other employees already working who hold positions in appropriate classes. The name of an employee laid off for any reason other than for cause shall be placed on the re-employment list.

12-2. Order of Layoff. If it is necessary to reduce the number of employees in a City Department due to lack of work or lack of funds, the City shall, whenever possible, attempt to minimize lay-offs by readjusting personnel by assigning the employee to duty in other Departments. If lay-offs are necessary, emergency, temporary, and probationary employees shall be laid off first. Lay-off of any employee shall be in reverse order of the combination of the most current performance evaluation(s) and seniority. Each factor shall be given equal weight.

11-3. Reversion to Lower Grade. The employee laid off shall revert to the next lower grade for which the employee is qualified, and is entitled to a position in the lower grade. To accommodate this appointment, personnel in the lower grade shall be laid off to provide a position for the employee who was laid off from the higher grade.

11-4. Notice of Layoff. As soon as practical, the Department Head shall give written notice of a layoff, the date the layoff is to occur, and the reasons for the layoff to the Human Resources Director and to any affected employees; provided, however, that notice of the layoff is not mandatory for provisional, seasonal, probationary, temporary or part-time Public Safety Service employees.

11-5. Severance Pay. When regular status full-time employees are laid off through no fault of their own, they will be eligible to receive severance pay as follows: Employees who have one (1) to two (2)

years regular status full-time employment with the City shall be entitled to the equivalent of ten (10) days prorated pay. If the employee is laid off after more than two years employment with the City, in addition to the severance pay described above, the employee shall also receive an amount equal to five (5) prorated working days for each year of City Public Safety Service in excess of two (2) years, up to a maximum of thirty (30) days. Severance pay is in addition to any compensatory time, vacation and/or sick leave benefits accrued and owing the employee at the time of layoff.

11-6. Dismissals. A dismissal is a discharge or involuntary separation based on misconduct, incompetency, failure to perform duties or other just cause. The Mayor may dismiss any employee in the Public Safety Service, and a Department Head may dismiss any employee in his/her Department with the approval of the Mayor. A dismissed employee shall have the right to appeal as provided in Section 12 hereof.

11-7. Pre-Disciplinary Conference. When allegations of misconduct are made against an employee, a pre-disciplinary conference is held before a disciplinary decision is made, whereby the employee is given (1) written notice of charges being alleged; (2) an explanation of the evidence; and (3) the opportunity to present the employee's version of the facts surrounding the allegations and any and all information the employee wants the Department Head to consider before making a disciplinary decision. This process does not apply to employees on probation, since probationary employees are at-will.

11-8. Order of Dismissal. To initiate the termination of an employee, the Mayor or the Department Head shall issue with the Human Resources Director a written order discharging the employee and state therein the reasons for the discharge and when the discharge is effective.

11-9. Serving and Filing the Order of Dismissal. A true copy of the order of discharge shall be served upon the discharged employee in the manner prescribed herein no later than three (3) days after the order is filed with the Human Resources Director.

11-10. Resignations. To resign in good standing, an employee must give the Department Head at least fourteen (14) calendar days prior written notice unless the Department Head for good cause shown, agrees to permit a shorter notice period. The notice shall state the employee's reasons for resigning. The notice of resignation shall be forwarded to the Human Resources Director together with a statement regarding the resigning employee's service, performance and any pertinent information which may bear upon the employee's decision to resign. Failure to comply with this rule shall be entered on the service record of the employee and may be cause for denying future employment by the City. The resignation of an employee who fails to give proper notice shall be immediately reported to the Human Resources Director by the Department Head. The Human Resources Director may take steps to verify reasons for the resignation. The Human Resources Director shall notify the employee in writing that the resignation has been accepted and shall notify the Finance and Administration Department of the effective date of the resignation. By resigning, the employee loses all legal right and status in the Public Safety Service.

11-11. Absence without Approved Leave. No employee in the Public Safety Service may be absent from duty without leave, except in case of great emergency. Failure to report for duty as scheduled or failure to notify the Department Head or designee of inability to report, or failure to report after a leave of absence has expired or has been revoked or canceled by the Department Head, shall be deemed as a resignation, and the position shall be declared vacant, unless the employee shall show, to the satisfaction of the Department Head, that the failure to report was due to sickness or emergency which made

reporting impossible.

11-12. Rehiring Personnel. A person rehired for a position in Public Safety Service shall serve a six (6) month probationary period in the grade of Firefighter I, Paramedic or Police Officer I. To be eligible for rehire as provided herein, the date of application for rehire must be within twelve (12) months of the date of resignation, and the date of rehire must be within twenty-four (24) months from date of resignation, and the candidate has all applicable State certifications and/or POST bypass testing requirements. For purposes of computation of seniority, rehired personnel shall be given credit for all time previously served, but is not given any credit for the time that the person spent away from the City. Seniority status shall only be granted after successful completion of the six (6) month probationary period. After twelve (12) months reemployment the employee may be considered for the position of Master Police Officer or Engineer based on Department need and eligibility criteria. Refer to Murray City Pay Administrative Policy for details.

SECTION 12 GRIEVANCE - APPEAL PROCEDURE

12-1. Purpose. The purpose of this Section is to provide a process to hear, review, resolve and, if appropriate, remedy specified grievances of City employees. The City employees covered by this Section are full and part time non-probationary employees except for the employees defined in Section 2.62.020(A) of the Murray City Municipal Code, as amended.

It is the intent of the process provided in this Section to resolve grievances at the lowest level of the line of authority. Accordingly, a covered City employee must exhaust each step of the grievance process provided in Section 4 before proceeding to a hearing before the Personnel Advisory Board, the Mayor, the Appeal Board or a State Court.

If a grievance is covered specifically by other ordinances, or policies, such as claims of discrimination, the procedures for the specific grievance shall be followed as defined in the applicable ordinance or policy.

12-2. Definitions.

Grievance. A grievance is defined as the written complaint of an employee to the respective Department Head or the Human Resources Director concerning a working condition which has allegedly caused an injury, injustice, or wrong to the employee. All grievances must be made in writing on an approved form and must state clearly the reasons for the grievance, the people directly involved, and a desired solution to the problem. After exhaustion of the grievance procedure outlined in Section 4 - steps 1, 2, and 3 - all grievances shall be heard by the Personnel Advisory Board except for those within the review authority of the Appeal Board involving discharge, suspension without pay of more than 2 days or involuntary transfer from one position to another with less remuneration.

12-3. Protection and Representation.

- a. All covered City employees shall be assured freedom from restraint, interference, discrimination, or reprisal as a result of pursuing the procedures described in this Section.

- b. At each level of a grievance or appeal, employees may represent themselves or may be represented by one person of their own choosing.
- c. The Human Resources Director shall be responsible to ensure that all parties to any appeal or grievance are protected according to these Rules and that these Rules are observed. The Human Resources Department may also assist the parties concerned at any time to clarify policy, recommend solutions, or assist in clearing up misunderstandings.

12-4. Grievance Procedure. It is the policy of the City to adjust grievances of employees promptly and fairly and to do so within the framework of existing laws and these Rules. Every effort shall be made to adjust grievances in a manner mutually satisfactory to employees and management. Any employee who alleges inequitable treatment due to some employment condition may personally, or through a representative, seek relief from that condition.

12-5. Appeals to the Personnel Advisory Board. The Personnel Advisory Board has jurisdiction to hear appeals from individuals or groups in matters arising from alleged discrimination, City policy infractions, matters pertaining to the establishment and maintenance of registers, examinations, examination rejection, examination ratings, removal from register, position classifications, and being put on probation. Any candidate whose application for admission to an entrance examination has been denied due to a lack of minimum qualifications, may appeal that denial to the Personnel Advisory Board, which shall consider the appeal according to this Section. The Personnel Advisory Board's decision with respect to any such appeal shall be final. As provided in this Section, the Personnel Advisory Board does not have jurisdiction over appeals involving discharge, suspension of more than 2 days without pay, or transfer to a position for less remuneration (see Section 12-6). All appeals must be filed in writing on an approved form with the Department Head and the Human Resources Director.

Step 1. The employee shall complete and submit the grievance form to the immediate supervisor and the Department Head within five (5) working days after the occurrence of the event which is the basis for the grievance. Within five (5) working days, after receiving the grievance, the Department Head shall, after consultation with the related supervisor, invite the employee to discuss the problem and the Department Head shall render a decision.

If the grievance involves the Department Head, the employee may bypass Step 1 and go directly to Step 2.

Step 2. If no satisfactory agreement is reached after Step 1, and it is necessary to carry the grievance further, the interested parties shall within five (5) working days, submit the grievance form and request in writing, a review by the Human Resources Director. The Human Resources Director may, if deemed necessary, conduct an investigation of the grievance. Within twenty (20) calendar days from receipt of the grievance, the Human Resources Director shall provide a recommendation to the employee's Department Head. The Department Head shall provide a decision to the employee within ten (10) calendar days from receipt of the recommendation by the Human Resources Director.

Step 3. If no satisfactory agreement is reached after Step 2 and it is necessary to carry the grievance further, the interested parties have the right to have the matter heard on appeal before the

Personnel Advisory Board. The written grievance form shall be completed and forwarded to the Human Resources Director within five (5) days from the date of the Department Head's final decision under Step 2.

Step 4. Within twenty (20) calendar days after receipt of a written request for a hearing on appeal, in matters within its jurisdiction, the Personnel Advisory Board shall review the appeal and schedule and hold a hearing. The Personnel Advisory Board shall submit a decision in writing to the employee within ten (10) working days from the date of the Personnel Advisory Board's decision.

Step 5. An aggrieved employee or the employee's Department Head may appeal the decision of the Personnel Advisory Board to the Mayor by filing written notice within five (5) working days following receipt of the decision. The Mayor shall, after review of the record, including the hearing before the Personnel Advisory Board, make a decision within thirty (30) calendar days after receipt of the appeal. The Mayor's decision shall be final.

12-6. Appeals, involving suspension for more than two (2) days without pay, discharge or transfer to a position of less remuneration - Creation of Three Member Appeal Board.

Step 1. The employee shall complete and submit the grievance form to the immediate supervisor and the Department Head within five (5) working days after the occurrence of the event which is the basis for the grievance. Within five (5) working days, after receiving the grievance, the Department Head shall, after consultation with the related supervisor, invite the employee to discuss the problem and the Department Head shall render a decision.

If the grievance involves the Department Head, the employee may bypass Step 1 and go directly to Step 2.

Step 2. If no satisfactory agreement is reached after Step 1, and it is necessary to carry the grievance further, the interested parties shall, within five (5) working days, submit the grievance form and request in writing a review by the Human Resources Director. The Human Resources Director may, if deemed necessary, conduct an investigation of the grievance. Within twenty (20) calendar days from receipt of the grievance, the Human Resources Director shall provide a recommendation to the employee's Department Head. The Department Head shall provide a decision to the employee within ten (10) calendar days from receipt of the recommendation by the Human Resources Director.

Step 3. If no satisfactory agreement is reached after Step 2 and it is necessary to carry the grievance further, the interested parties have the right to have the matter heard on appeal before an independent Appeal Board. The written grievance form shall be completed and forwarded to the Human Resources Director within five (5) working days from the date of the Department Head's final decision under Step 2.

Selection of the Three Member Appeal Board:

The Human Resources Director shall maintain a current roster of mediators and arbitrators, as provided by the administrative office of the Utah Courts.

The selection of the Appeal Board Members shall be as follows: the Mayor, the employee and the Department Head shall each select from the Utah Courts Roster of Mediators and Arbitrators one member to serve on the Appeal Board, subject to their availability.

Step 4. Within twenty (20) calendar days after receipt of a written request for a hearing on appeal, in matters within its jurisdiction, the Appeal Board shall review the appeal, schedule and hold a hearing. The Appeal Board shall submit a decision in writing to the Mayor, Department Head and the employee within 10 working days from the date of the Appeal Board's decision.

- a. The employee shall be entitled to appear in person and to be represented by counsel, to have a hearing, confront witnesses whose testimony is to be considered and to examine the evidence to be considered by the Appeal Board.
- b. Each decision of the Appeal Board, shall be certified to the City Recorder within fifteen (15) calendar days from the date the matter is referred to the Appeal Board. Except for good cause, the Appeal Board may extend the fifteen (15)-day period to a maximum of sixty (60) calendar days, if the employee and the Department Head both consent.

If the Appeal Board finds in favor of the employee, the Appeal Board shall provide that the employee receives the employee's salary for the period of time during which the employee is discharged or suspended without pay; or any deficiency in salary for the period during which the employee was transferred to a position of less remuneration.

- c. The final action or order of the Appeal Board may be appealed to the Utah Court of Appeals by filing a notice of appeal with that court. Each notice of appeal shall be filed within thirty (30) calendar days after the issuance of the final action or order of the Appeal Board. The Utah Court of Appeals' review shall be on the record of the Appeal Board and for the purpose of determining if the Appeal Board abused its discretion or exceeded its authority.

SCHEDULE A

IN-RANK PROMOTIONS IN THE POLICE DEPARTMENT

The following promotions in the Police Department are in-rank promotions, the eligibility requirements for which shall be as hereinafter set forth:

I. GENERAL REQUIREMENTS.

- a. Examination: Candidates may be required to pass one or more of the following and as set forth in the notice of examination: written, performance, or oral examinations as prescribed by the Hiring Authority and the Human Resources Director .
- b. Merit Ratings: Candidates must have merit ratings satisfactory to the Hiring Authority.
- c. Training: Candidates must have a valid first-aid card and must have completed the prescribed firearms training program in the Department (applies only to Sergeant, Lieutenant and Assistant Chief).
- d. Physical: Candidates must be in excellent physical condition, in accordance with the health standards of Public Safety Service. Final candidate will be required to pass a drug test and physical examination based upon the essential functions of the position.

II. SERGEANT.

Service Requirement: Associate Degree in Criminal Justice or related field and five (5) years full time on the Department

OR

30 semester or 45 quarter hours and six (6) years full time on the Department

OR

No college credits and seven (7) years full time on the Department.

III. LIEUTENANT.

Service Requirement: Bachelor Degree in Criminal Justice or related field plus two (2) years as a Sergeant

OR

60 semester or 90 quarter hours or an Associate Degree in Criminal Justice or related field plus three (3) years as a Sergeant

OR

No college credit and four (4) years as a Sergeant.

IV. ASSISTANT CHIEF.

The Assistant Chief may be appointed by the Department Head subject to the approval of the Mayor, subject to the advice and consent of the City Council.

Service Requirement: Graduation from college with a Bachelor Degree in Criminal Justice or related field and a minimum of three (3) years command level supervisory experience or any equivalent combination of experience which produces the required knowledge, skills and abilities.

V. RECORDS SUPERVISOR.

Service Requirement: Associate Degree in Office Information Systems or Secretarial Science and five (5) years of related experience, to include one (1) year experience in supervision and records management, word processing using Word Perfect/Windows/Word or IBM System AS400 or any equivalent combination of education and experience.

VII. ANIMAL CONTROL SUPERVISOR.

Service Requirement: Graduation from high school and two (2) years related experience or any equivalent combination of education and experience.

VIII. CODE ENFORCEMENT SUPERVISOR.

Service Requirement: Graduation from an accredited university with an Associate Degree in Criminal Justice, Planning, Public or Business Administration, Political Science, Geography, Economics or in a closely related field and three (3) years of experience in code enforcement, planning and zoning, or government relations, or any equivalent combination of education and experience.

SCHEDULE B

IN-RANK PROMOTIONS IN THE FIRE DEPARTMENT

The following promotions in the Fire Department are in-rank promotions. The eligibility requirements for which shall be as hereinafter set forth:

I. GENERAL REQUIREMENTS.

- a. Examination: Candidates may be required to pass one or more of the following as set forth in the notice of examination: written, performance, or oral examinations as prescribed by the Hiring Authority and the Human Resources Director.
- b. Merit Ratings: Candidates must have merit ratings satisfactory to the Hiring Authority.
- c. Physical Examination: All candidates must be in excellent physical condition, in accordance with the health standards of Public Safety Service. Final candidate will be required to pass a drug test and physical examination based upon the essential functions of the position.

II. DEPUTY FIRE MARSHAL.

Service Requirement: Must have an Associate Degree in Fire Science or related field plus four (4) years full time Firefighter or Fire Inspector experience and completion of Fire Inspector I certification;

OR

A minimum of 30 semester credits (including at least on course in English, grammar, or writing), and six (6) years full time experience as a Firefighter or Fire Inspector and completion of Fire Inspector I certification;

OR

Seven (7) years full time experience as a Firefighter or Fire Inspector and completion of Fire Inspector I certification.

III. CAPTAIN.

Service Requirement: Must have an Associate Degree in Fire Science or related field and a minimum of five (5) years full time experience on the Department as a Firefighter, including at least one (1) year as a Firefighter II, Engineer, or Firefighter/Paramedic (If degree is in a related field, Fire Officer I certification is also required.);

OR

Fire Officer I certification, at least 30 semester credits (including at least on course in English, grammar, or writing), and six (6) years full time experience on the Department as a Firefighter, including at least two (2) years as a Firefighter II, Engineer, or Firefighter/Paramedic;

OR

Fire Officer I certification, at least one course in English, grammar, or writing, and seven (7) years full time experience on the Department as a Firefighter, including at least three (3) years as a Firefighter II, Engineer, or Firefighter/Paramedic.

IV. FIRE MARSHAL.

The Fire Marshal may be appointed by the Department Head subject to the approval of the Mayor.

Service Requirement: Associate Degree in Fire Science, completion of Fire Inspector I certification, International Fire Code Certification, and six (6) years of experience in the firefighting field, including at least two (2) years as a Deputy Fire Marshal or one (1) year experience as a Captain;

OR

Any equivalent combination of education and experience.

V. BATTALION CHIEF.

Service Requirement: Bachelor Degree in Fire Service Administration or related field, including Fire Officer II certification and seven (7) years of full time experience in the firefighting field, to include at least two (2) years of service as a Captain;

OR

Associate Degrees in Fire Science and eight (8) years of full time experience in the firefighting field, to include at least three (3) years of service as a Captain;

OR

Fire Officer I certification and a minimum of 30 semester credits (including at least one course in English, grammar, or writing) and nine (9) years full time experience in the firefighting field, to include at least four (4) years service as a Captain;

OR

Fire Officer I certification and ten (10) years full time experience in the firefighting field, to include at least five (5) years service as a Captain.

VI. DEPUTY FIRE CHIEF.

The Deputy Fire Chief may be appointed by the Department Head subject to the approval of the Mayor, with advice and consent of the City Council.

Service Requirement: Graduation from college or university with a Bachelor Degree in Fire Science or a related field and seven (7) years experience as a Firefighter, including two of those years in supervisory experience, plus at least one (1) year as a Battalion Chief

OR

Any equivalent combination of education and experience.

SCHEDULE C

HEALTH STANDARDS AND REQUIREMENTS FOR POSITIONS IN THE PUBLIC SAFETY SERVICE

I. EXAMINATION REQUIREMENTS.

1. All candidates for appointment and employees in the Public Safety Service must pass a physical examination based on the essential functions of the position and physical standards established herein. The examination shall be given by a physician designated by the Human Resources Director. Candidates for appointment failing to pass such examination shall not be considered further except as expressly provided herein. Whenever an employee fails to pass the examination, the examining physician shall make a report to the Human Resources Director, setting forth the following information:
 - a. Nature and extent of impairment.
 - b. Whether or not the impairment is correctable, and a recommendation concerning the advisability of correction and how long the candidate should be allowed for correction.
 - c. Whether or not the impairment presently interferes with the full performance of employee's essential functions of the position.
 - d. Whether or not the impairment will interfere with the performance of duties connected with the position.
 - e. Whether employee's impairment is likely to become aggravated by performance of duties.
 - f. Whether the impairment will become progressively worse, and whether it may interfere with the performance of duties in the future, or cause other conditions which may interfere with the performance of duties.

Following receipt of such report, the Hiring Authority and Human Resources Director will make such further examination as they deem necessary. Thereafter the Hiring Authority and Human Resources Director will take such action concerning the matter as it deems appropriate.

2. **Waivers.** The Hiring Authority and Human Resources Director may waive a disqualifying condition found to exist when it finds that the condition will not interfere with the present performance of the essential functions of the position and will not become worse through a natural progression of the condition, or through performance of the duties or otherwise. Waivers shall be granted by the Hiring Authority and Human Resources Director only when in their judgment such action will be for the betterment of the Public Safety Service. Waivers may be granted by the Hiring Authority and Human Resources Director on their own motion or upon written application of the disqualified candidate, or employee.
3. **Appeal from Rejection.** Any candidate who fails to pass the physical examination may, within fifteen (15) days after notice of such failure, appeal to the Personnel Advisory Board

for re-examination of the disqualification. The application must be accompanied by a written statement of a licensed physician in the State of Utah to the effect that in the physician's opinion, the disqualifying condition does not exist or is not serious enough to interfere with the person's performance of assigned duties. Upon receipt of such application and physician's statement, the Personnel Advisory Board may cause an investigation of the condition to be made, and may request the candidate to be reexamined as to the disqualifying condition. Following such investigation, the Personnel Advisory Board shall make a final determination as to whether or not the candidate is eligible for appointment, promotion, or continued employment. For related information, please see the City ADA Policy, Appeal procedures.

II. VISION.

1. Each eye will be examined for disease or muscular defect.
2. Visual Acuity: Far vision acuity must be tested for both eyes only. (Each eye not to be tested individually) Only corrected near vision acuity should be assessed.

POLICE OFFICERS

Visual acuity must be 20/20 in each eye with or without correction.

Uncorrected visual acuity must be 20/40 binocular or better for wearers of hard and semi-rigid gas permeable contact lenses or glasses.

Successful long-term soft daily wear contact lens wearers correctable to 20/20 are subject to no uncorrected standard.

Significant loss of color vision is unacceptable for safety positions.

Colored soft contact lenses may not be worn, as they produce field loss ranging in one recent test from 21 to 47 percent.

Significant decrement in visual field performance (peripheral vision) in either eye is unacceptable for safety positions. Field of vision must extend across an arc (at the horizontal meridian) of at least 140 degrees in both eyes and at least 70 degrees in each eye tested separately.

FIREFIGHTERS

Visual acuity must be 20/30 in each eye with or without correction.

Uncorrected visual acuity must be 20/100 binocular or better for wearers of hard contacts or glasses.

Firefighters with uncorrected acuity of less than 20/100 in either eye must carry a spare pair of glasses.

Successful long-term soft daily wear contact lens wearers correctable to 20/30 or better are subject to no uncorrected standard.

Color vision must be adequate to distinguish red, green and yellow (primary colors only).

Significant loss of color vision is unacceptable for safety positions.

Significant decrement in visual field performance in either eye is unacceptable. Field of vision must extend across an arc (at the horizontal meridian) of at least 140 degrees in both eyes and at least 70 degrees in each eye tested separately.

Colored soft contact lenses may not be worn, as they produce field loss ranging from 21 to 47 percent.

3. Color Vision: Persons applying for Police Officer or Fire Fighter positions who are determined to be color blind will be rejected. Police and Fire candidates rejected for defective color vision will be reconsidered for appointment upon presenting a statement from a licensed ophthalmologist in the State of Utah specifying the extent of such color defects and giving an opinion as to the extent to which these color defects would interfere with the candidate's work. Upon the presentation of said statement the Hiring Authority and Human Resources Director will reconsider the candidate to determine if the extent of color-blindness is so limited as to not materially interfere with his/her work; if so, the Hiring Authority and Human Resources Director may waive the color blindness of the candidate.

III. HEARING - POLICE AND FIRE.

1. Pure tone thresholds in the worst ear not worse than 25dB at 500Hz, 1000Hz, or 2000Hz, and not worse than 35dB loss at 3000Hz or no greater than 30dB at any of the first three frequencies and an average of 30dB for the four frequencies is acceptable for safety classifications.
2. On re-examination for retention or promotion, a hearing loss change of over 20 decibels from the initial examination will require an evaluation by a hearing specialist. A hearing loss in excess of 30 decibels in any frequency may result in failure of the examination. The hearing test may be made with the aid of a hearing aid for retention.
3. A candidate with any of the following may be rejected:
 - a. Chronic suppurative otitis media;
 - b. Perforated eardrum with chronic suppuration;
 - c. Meniere's syndrome.

- IV. All other job-related medical conditions will be reviewed and evaluated by the designated physician, using established med-tox occupational health services examinations and medical guidelines.

SCHEDULE D

PSYCHOLOGICAL STANDARDS AND REQUIREMENTS FOR POLICE POSITIONS IN THE PUBLIC SAFETY SERVICE

EXAMINATION REQUIREMENTS.

1. All candidates for appointment in the Public Safety Service in the Police Department must pass a psychological evaluation based on the essential functions of the position and standards established herein. The evaluation shall be given by a psychologist or psychiatrist designated by the Human Resources Director. Candidates for appointment failing to pass such evaluation shall not be considered further except as expressly provided herein.
2. Appeal from Rejection. Any candidate who fails to pass the psychological evaluation may, within fifteen (15) calendar days after notice of such failure, apply to the Personnel Advisory Board for review. The application must be accompanied by a written statement of a licensed psychologist or psychiatrist in the State of Utah to the effect that in the practitioner's opinion, the disqualifying condition does not exist or is not serious enough to interfere with the person's performance of assigned duties. Upon receipt of such application and practitioner's statement, the Personnel Advisory Board shall cause an investigation of the condition to be made, and may request the candidate to be reexamined as to the disqualifying condition. Following such investigation, the Personnel Advisory Board shall make a final determination as to whether or not the candidate is eligible for appointment. For related information, please see the Murray City ADA Appeal procedures.
3. The Personnel Advisory Board may also summarily dismiss an appeal from rejection, if the candidate is not able to produce a written statement from a psychologist or psychiatrist that the disqualifying condition does not exist or is not serious enough to interfere with the candidates performance of assigned duties.

SCHEDULE E

INTERPRETIVE BULLETIN NO. I

Interpretation of Section 9, Paragraph -3 pertaining to established weights given the four factors measured on all in-rank promotional exams.

The weighted factors as called for in Section 9-3 shall be calculated in accordance with the following example:

Officer John Doe has ten years experience on the Police force and through competitive testing came up with the following test scores:

Seniority of Service

$$5 \text{ years} \times \frac{1}{2} \text{ point} = 2.5/5 \text{ possible} = 50\% \times .05 = 2.50 \text{ points}$$

Written Examination

$$\text{Raw Score } 50/60 \text{ possible} = 83\% \times .45 = 37.35 \text{ points}$$

Oral Interview

$$\text{Raw Score } 31/40 \text{ possible} = 78\% \times .30 = 23.40 \text{ points}$$

Merit Ratings

Scores for past three years – 82%, 85%, 85%

$$\text{Total: } 252/300 \text{ possible} = 84\% \times .20 = \underline{16.80 \text{ points}}$$

$$\text{TOTAL POINTS} \quad 80.05 \text{ Points}$$

Therefore, the total combined points of said officer is 80.05 points.

SCHEDULE F

PROCESS FOR ADOPTING OR AMENDING PUBLIC SAFETY RULES AND REGULATIONS

- Step 1. Proposed changes in the Rules may be submitted by City Management, the Human Resources Director or employees in the Public Safety Service.
- Step 2. The proposed change(s) will be reviewed at a hearing with the following in attendance: the Mayor, Police Chief, Fire Chief, Human Resources Director, City Attorney, the Personnel Advisory Board (3 members), and a representative for both police and fire non-administrative employees.
- Step 3. At the conclusion of the hearing a date will be set for an official vote to approve or deny the proposed changes.
- Step 4. The representatives for non-administrative police and fire personnel shall accurately reflect the preponderance of their department's personnel to determine their position on proposed changes.
- Step 5. On the established voting date, final discussions will be heard and each of the eleven members of the review board will be given one vote with a simple majority determining whether to approve or deny the proposed changes.
- Step 6. If the review board approves the change(s), the new or revised policy shall be adopted, printed, and distributed to all affected City employees.